

Attorney Docket No.: 5618.520-US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Svendsen et al.

Confirmation No: 2614

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Serial No.: 10/734,510

Group Art Unit: 1652

DEC 22 2005

Filed: December 12, 2003

Examiner: T. Saidha

For: Phytase Variants

## CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Supplemental Response Under 37 C.F.R. 1.111
2. Statement under 37 C.F.R. 1.808
3. Seven (7) sheets of Depository Catalogue

was sent to the United States Patent and Trademark Office by telefax to the attention of Examiner  
T. Saidha, fax number (571) 273-8300.

Respectfully submitted,

Date: December 22, 2005

*Julie Tabarovskiy*  
Julie Tabarovskiy  
Novozymes North America, Inc.  
500 Fifth Avenue, Suite 1600  
New York, NY 10110  
(212) 840-0097

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## SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. 1.111

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further in response to the Office Action mailed June 29, 2005, enclosed are the sheets from the American Type Culture Collection (ATCC) and Centraalbureau Voor Schimmelcultures (CBS) catalogues showing that the strains: *Aspergillus terreus* CBS 116.46, *Talaromyces thermophilus* ATCC 20186 and ATCC 74338, *Myceliophthora thermophila* ATCC 74340, and *Aspergillus* ATCC 34625, are known and readily available.

Also enclosed is a Statement under 37 C.F.R. 1.808 providing the required assurances for the strains: *T. pubescens* CBS 100232, *P. involutus* CBS 100231, and *T. lanuginosus* NRRL B-21527.

It is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

  
Elias J. Lambiris, Reg. No. 33,728  
Novozymes North America, Inc.  
500 Fifth Avenue, Suite 1600  
New York, NY 10110  
(212) 840-0097

Date: December 22, 2005

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## STATEMENT UNDER 37 C.F.R. 1.808

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

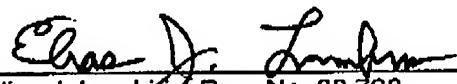
Sir:

The above-captioned application refers to deposit(s) of biological material which have been made at Deutsche Sammlung von Mikroorganismen American Type Culture Collection (ATCC) and the Agricultural Research Service Patent Culture Collection, Northern Regional Research Center (NRRL) under the Budapest Treaty and assigned accession numbers NRRL B-21527, CBS 100232 and CBS 100231.

All restrictions on the availability to the public of the deposited material will be irrevocably removed upon the granting of the U.S. patent.

The deposit(s) will be maintained for (a) thirty years, (b) at least five years after the most recent request for the furnishing of a sample of the deposit is received by the depository, or (c) the enforceable life of the U.S. patent granted from this application, whichever is longest. If the deposited material becomes inviable during the above term, the deposited material will be replaced.

Respectfully submitted,

  
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Elias J. Lambiris, Reg. No. 33,728  
Novozymes North America, Inc.  
500 Fifth Avenue, Suite 1600  
New York, NY 10110  
(212) 840-0097

Date: December 22, 2005